

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In Re:	:	
	:	
ANTHONY J. BONITZ, III	:	CHAPTER 13
D/B/A ANTHONY BONITZ FLOORING	:	
INSTALLATION	:	
xxx-xx-6522	:	
Debtor.	:	CASE NO. 1:17-bk-03220-HWV
_____	:	
	:	
U.S. Bank National Association, not in its	:	
individual capacity but solely as trustee for	:	
the RMAC Trust, Series 2016-CTT	:	
	:	
Movant,	:	
v.	:	
	:	
ANTHONY J. BONITZ, III	:	
	:	
Debtor,	:	
And	:	
	:	
CHARLES J. DeHART, III, ESQUIRE	:	
Trustee,	:	
	:	
Respondents.	:	Hearing Date: 2/12/19 @ 9:30 a.m.
_____	:	

**STIPULATION RESOLVING MOTION FOR RELIEF FROM THE AUTOMATIC STAY
TO PERMIT MOVANT TO EXERCISE ITS RIGHTS UNDER STATE LAW AGAINST
CERTAIN REALTY COMMONLY KNOWN AS
241 REYNOLDS MILL ROAD, YORK, PA 17403**

THIS matter being opened to the Court by Emmanuel J. Argentieri of the law office of Romano Garubo & Argentieri, counsel for the secured creditor, U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT, (hereinafter "US Bank"), upon the filing of a motion for relief from stay as to real property, more commonly known as 241 REYNOLDS MILL ROAD, YORK, PA 17403; and Debtor having

filed opposition thereto through his counsel, Tony Santo Sangiamo, Esquire, and it appearing that the parties have resolved their differences and for good cause shown;

1. Debtor is currently due for the June 1, 2018 through March 1, 2019 post-petition monthly mortgage payments, which are broken down as follows:

6 monthly payments of \$1198.08, plus 4 monthly payments of \$1210.90, less suspense balance of \$143.67, along with the reimbursement of US Bank's attorney fees totaling \$850.00, for a total of \$12,738.41.

2. The post-petition arrearages stated in Paragraph 1 herein shall be paid back to US Bank through the Chapter 13 Trustee.

3. Commencing with the April 1, 2019 post-petition mortgage payment and continuing each month thereafter for the duration of this Chapter 13 proceeding, Debtor shall remit payments to the Chapter 13 Trustee as same come due. The Chapter 13 Trustee, in turn, shall disburse payments to US Bank in normal course.

4. The provisions of this stipulation do not constitute a waiver by the Moving Party of its right to seek reimbursement of any amounts not included in this stipulation, including fees and costs, due under the terms of the mortgage and applicable law.

5. If the case is converted to a Chapter 7, US Bank shall file a Certification of Default with the Court and the Court shall enter an Order granting it relief from the automatic stay.

6. Debtor shall remain current with plan payments going forward. In the event Debtor falls delinquent with plan payments to the Chapter 13 Trustee for more than sixty (60) days, US Bank may send Debtor a written notice of default of this Stipulation. If the default is not cured within ten (10) days of the date of the notice, counsel for US Bank may file a

Certification of Default with the Court, with notice to Debtor's counsel, the Chapter 13 Trustee, and the US Trustee, and the Court shall enter an Order granting it relief from the automatic stay as to the mortgaged property herein.

7. US Bank shall serve a copy of the entered Order on Debtor, Debtor's counsel, Chapter 13 Trustee, and US Trustee and shall file a certificate of service.

The undersigned hereby consent to the form and entry of the within order.

Emmanuel J. Argentieri, Esquire
Attorney for US Bank

Tony Santo Sangiamo, Esquire
Attorney for Debtor

AND NOW, this _____ day of _____, 2019, it is hereby ORDERED that the foregoing Stipulation is approved, shall be, and is made an Order of this Court.

Honorable Henry W. Van Eck
U.S. Bankruptcy Judge, Middle District of
Pennsylvania

(Page 3 of 3)